

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Justin C. Patterson
Lawrence J. Zock Jr.
Debtor(s)

Bankruptcy Case No.: 17-10145-TPA
Per September 5, 2017 Proceeding
Chapter: 13
Docket No.: 41 - 16
Concil. Conf.: November 28, 2017 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 20, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 28, 2017 at 10:30 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Lakeview Loan (Claim No. 9) and Widget Financial (Claim No. 4) .
- ☒ H. Additional Terms: Northeast Township shall be paid 10% interest on the real estate tax.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: September 5, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Justin C. Patterson
 Lawrence J. Zock, Jr.
 Debtors

Case No. 17-10145-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 45

Date Rcvd: Sep 05, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 07, 2017.

db/jdb Justin C. Patterson, Lawrence J. Zock, Jr., 1041 Freeport Road,
 North East, PA 16428-3027

14364652 +1st National Bank of Omaha, 1620 Dodge Street, Omaha, NE 68197-0002
 14415103 +Amerimark, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
 14385896 +Berkheimer, PO Box 25130, Lehigh Valley, PA 18002-5130
 14389929 Bureau of UC Benefits and Allowances, Attn: UI Payment Services, PO Box 67503,
 Harrisburg, PA 17106-7503

14364654 +Capital One Bank USA NA, PO Box 30281, Salt Lake City, UT 84130-0281
 14364655 +Capital One FSB, 1680 Capital One Drive, Mc Lean, VA 22102-3407
 14364659 +DSNB / Macy's, PO Box 8218, Mason, OH 45040-8218
 14666878 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657

14364656 +Direct TV, c/o Convergent Outsourcing, PO Box 9004, Renton, WA 98057-9004
 14667296 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,
 Carol Stream, IL 60197-5008

14420872 +Erie Community Credit Union, c/o Carol F. Messenger, Payment Solution, 1129 State Street,
 Erie, PA 16501-1911

14364660 +Erie Federal Credit Union, 1129 State Street, Erie, PA 16501-1911
 14373384 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 14364662 +Lake View Loan Servicing, 1301 Virginia Drive, Fort Washington, PA 19034-3231
 14385897 +McCabe Weisberg & Conway, 123 S. Broad Street, Suite 1400, Philadelphia, PA 19109-1060
 14385899 +North East Heat & Light, 10700 West Main Street, North East, PA 16428-2228
 14385900 +Northeast Township Tax Collector,, c/o Penny Luke, 10300 W. Main Street,
 North East, PA 16428-2858

14373403 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14364663 PYOD LLC, c/o resurgent Capital, Sutie 110 MS 5796, Greenville, SC 29601
 14385901 +PayPal Credit, PO Box 5138, Timonium, MD 21094-5138
 14668175 +Penelec, c/o FirstEnergy, Building #1, Suite 1-511, 101 Crawford's Corner Rd,
 Holmdel, NJ 07733-1900

14385902 +Penelec, 76 S. Main Street, Akron, OH 44308-1812
 14364667 +TD Bank USA/Target Credit, PO Box 673, Minneapolis, MN 55440-0673
 14364668 +TMG Financial Services, PO Box 14542, Des Moines, IA 50306-3542
 14364669 +TW Northeast, c/o Credit Management, 4200 International Parkway,
 Carrollton, TX 75007-1912

14364670 +Verizon, c/o Trident Asset Management, PO Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14364653 E-mail/Text: AEPPcreditdept@amerimark.com Sep 06 2017 02:30:11 AmeriMark Premier,
 PO Box 2845, Monroe, WI 53566-8045

14402270 +E-mail/Text: bncmail@w-legal.com Sep 06 2017 02:30:03 COMENITY CAPITAL BANK,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

14364658 E-mail/Text: mrdiscen@discover.com Sep 06 2017 02:29:39 Discover Financial Services,
 PO Box 15316, Wilmington, DE 19850

14364657 E-mail/Text: mrdiscen@discover.com Sep 06 2017 02:29:39 Discover, PO Box 15136,
 Wilmington, DE 19850

14370895 E-mail/Text: mrdiscen@discover.com Sep 06 2017 02:29:39 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025

14655652 E-mail/Text: camanagement@mtb.com Sep 06 2017 02:29:43 M&T Bank, P.O. Box 1288,
 Buffalo, NY 14240

14660642 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 06 2017 02:29:55 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011

14385898 +E-mail/Text: ADAMB@TMGFINANCIALSERVICES.COM Sep 06 2017 02:29:56 Mutual of Omaha Bank,
 c/o TMG Financial Services, 1500 NW 118th Street, Des Moines, IA 50325-8242

14385903 +E-mail/Text: bankruptcy_notifications@ccsusa.com Sep 06 2017 02:30:13 PNC,
 c/o Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679

14672187 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 06 2017 02:54:14
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

14670442 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 06 2017 02:33:22
 PYOD, LLC its successors and assigns as assignee, of Capital One, F.S.B.,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008

14364664 +E-mail/PDF: gecsed@recoverycorp.com Sep 06 2017 02:33:17 SNYCB/Wal-Mart, PO Box 965024,
 Orlando, FL 32896-5024

14364665 +E-mail/PDF: gecsed@recoverycorp.com Sep 06 2017 02:32:51 SYNCB/Amazon, PO Box 965015,
 Orlando, FL 32896-5015

14364666 +E-mail/PDF: gecsed@recoverycorp.com Sep 06 2017 02:33:17 SYNCB/Pay Pal Smart Conn,
 PO Box 965005, Orlando, FL 32896-5005

14385904 +E-mail/Text: bankandforeclose@stonegatemtg.com Sep 06 2017 02:30:09
 Stonegate Mortgage Corporation, 157 South Main Street, Mansfield, OH 44902-7955

14405668 +E-mail/Text: bncmail@w-legal.com Sep 06 2017 02:30:03 TD BANK USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

14385906 +E-mail/Text: DL-ICOMSBankruptcy@charter.com Sep 06 2017 02:30:07 Time Warner Cable,
 5520 Whipple Avenue NW, North Canton, OH 44720-7700

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 45

Date Rcvd: Sep 05, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14364671 +E-mail/Text: collections@widgetfinancial.com Sep 06 2017 02:29:57
Widget Federal Credit Union, 2154 E. Lake Road, Erie, PA 16511-1140

TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LakeView Loan Servicing, LLC
cr Lakeview Loan Servicing, LLC
14364661 Jacob M. Ottley, Esquire
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 3, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 07, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 5, 2017 at the address(es) listed below:

Ann E. Swartz on behalf of Creditor Lakeview Loan Servicing, LLC ecfmail@mwc-law.com
James Warmbrodt on behalf of Creditor LakeView Loan Servicing, LLC bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com
Kenneth M. Steinberg on behalf of Joint Debtor Lawrence J. Zock, Jr.
julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
;clivingston@steidl-steinberg.com;r53037@notify.bestcase.com
Kenneth M. Steinberg on behalf of Debtor Justin C. Patterson julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
;clivingston@steidl-steinberg.com;r53037@notify.bestcase.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7